

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JERRY ANDERSON,

Plaintiff

v.

Case No. 2:17-12676

District Judge Victoria A. Roberts

Magistrate Judge Anthony P. Patti

COLTER FURST,
MICHAEL THOMAS, and
NATHAN ELLIS

Defendants.

**ORDER DENYING PLAINTIFF'S MOTION FOR RECONSIDERATION
OF ORDER DENYING CONSTRUED MOTION FOR
RECONSIDERATION OF THE CLERK'S NOTICE OF DENIAL OF
REQUEST FOR CLERK'S ENTRY OF DEFAULT (DE 20)**

On November 8, 2017, the Court denied Plaintiff's request for reconsideration of the Clerk's notice of denial of request for clerk's entry of default. (DE 18.) In the instant motion for reconsideration, he requests that the Court's November 8, 2017 Order be "reversed" "*pursuant to E.D. Mich. L.R. 7.1(h)(3)*" (DE 20 at 1 (emphasis added)), and further requests that his motion for entry of default be granted pursuant to Fed. R. Civ. P. 55(a). (DE 20.)

As explained in the Court's prior order, to prevail on a motion for reconsideration under Local Rule 7.1, a movant must demonstrate: (1) palpable defect by which the court and the parties and other persons entitled to be heard on

the motion have been misled; and (2) that correcting the defect will result in a different disposition of the case. E.D. Mich. LR 7.1(h)(3). “A palpable defect is a defect that is obvious, clear, unmistakable, manifest or plain.” *Witzke v. Hiller*, 972 F. Supp. 426, 427 (E.D. Mich. 1997). Motions for reconsideration should not be granted if they “merely present the same issues ruled upon by the court, either expressly or by reasonable implication.” E.D. Mich. LR 7.1(h)(3).

Here, Plaintiff presents the same arguments as in his prior motion for reconsideration. As Plaintiff has reiterated his initial arguments and not identified a palpable defect, his motion for reconsideration is denied.

IT IS SO ORDERED.

Dated: December 7, 2017

s/Anthony P. Patti
Anthony P. Patti
UNITED STATES MAGISTRATE JUDGE

Certificate of Service

I hereby certify that a copy of the foregoing document was sent to parties of record on December 7, 2017, electronically and/or by U.S. Mail.

s/Michael Williams
Case Manager for the
Honorable Anthony P. Patti